

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Rebecca Jacobson	Team: Squad #6	CCRB Case #: 201607788	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Wednesday, 09/07/2016 9:25 PM	Location of Incident: East 61st Street between 2nd Avenue and 3rd Avenue and the 19th Precinct Stationhouse	Precinct: 19	18 Mo. SOL 3/7/2018	EO SOL 3/7/2018	
Date/Time CV Reported Mon, 09/12/2016 4:37 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 09/12/2016 4:37 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. DTS Courtney Wallace	07125	898737	081 PCT
2. POM Joseph Tortora	02059	960032	019 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Tau Samuel	17558	959192	019 PCT
2. SPA Magdeling Wallace		329071	PB CAD

Officer(s)	Allegation	Investigator Recommendation
A.DTS Courtney Wallace	Force: At East 61st Street between 2nd Avenue and 3rd Avenue in Manhattan, Detective Courtney Wallace used physical force against § 87(2)(b)	
B.DTS Courtney Wallace	Force: At East 61st Street between 2nd Avenue and 3rd Avenue in Manhattan, Detective Courtney Wallace struck § 87(2)(b) with a gun.	
C.DTS Courtney Wallace	Force: At East 61st Street between 2nd Avenue and 3rd Avenue in Manhattan, Detective Courtney Wallace pointed his gun at § 87(2)(b) and § 87(2)(b)	
D.DTS Courtney Wallace	Abuse: At East 61st Street between 2nd Avenue and 3rd Avenue in Manhattan, Detective Courtney Wallace threatened § 87(2)(b) and § 87(2)(b) with the use of force.	

Officer(s)	Allegation	Investigator Recommendation
E.DTS Courtney Wallace	Discourtesy: At East 61st Street between 2nd Avenue and 3rd Avenue in Manhattan, Detective Courtney Wallace spoke discourteously to § 87(2)(b)	
F.DTS Courtney Wallace	Abuse: At East 61st Street between 2nd Avenue and 3rd Avenue in Manhattan, Detective Courtney Wallace refused to provide his shield number to § 87(2)(b) and § 87(2)(b)	
G.DTS Courtney Wallace	Discourtesy: At East 61st Street between 2nd Avenue and 3rd Avenue in Manhattan, Detective Courtney Wallace spoke discourteously to § 87(2)(b)	
H.POM Joseph Tortora	Discourtesy: At the 19th Precinct stationhouse, Police Officer Joseph Tortora spoke discourteously to § 87(2)(b)	

Case Summary

This case exceeded 90 days. There were 10 witnesses who had to be contacted regarding the case and Det. Wallace was on extended medical leave, delaying his interview by approximately three months.

On September 12, 2016, § 87(2)(b) filed this complaint with the CCRB via phone.

On September 7, 2016, at approximately 9:25 p.m., at East 61st Street between 2nd Avenue and 3rd Avenue, § 87(2)(b) and § 87(2)(b) got into a traffic dispute with off duty Detective Courtney Wallace of the 81st Precinct and § 87(2)(b).

§ 87(2)(b) and Det. Wallace argued on the street and Det. Wallace allegedly hit § 87(2)(b) on the throat (**Allegation A**). Det. Wallace then drew his gun and hit § 87(2)(b) with his gun (**Allegation B**). § 87(2)(b) alleged that Det. Wallace pointed his gun at § 87(2)(b) and § 87(2)(b) and told them, "I'm law enforcement. I'll shoot you." (**Allegation C**). § 87(2)(b) alleged that Det. Wallace told § 87(2)(b) "I should shoot your bitch ass." (**Allegation D and E**). § 87(2)(b) asked Det. Wallace to see his badge, which he never showed them (**Allegation F**) and § 87(2)(b) asked to see Det. Wallace's credentials to which he replied, "I don't have to show you shit." (**Allegation G**). Det. Wallace then got back into his vehicle and left the scene.

§ 87(2)(b) and various witnesses called 911 regarding the incident and officers from the 19th Precinct responded. All of them were brought to the 19th Precinct stationhouse. § 87(2)(b) was eventually arrested. While being handcuffed, he questioned why he was being arrested. The officer handcuffing him, PO Joseph Tortora of the 19th Precinct, allegedly told him, "Shut the fuck up. You should have just done what the Captain wanted you to do." (**Allegation H**).

This case was originally assigned to Inv. Ariel Courage. It was later reassigned to Inv. Rebecca Jacobson on October 4, 2016.

There was no video footage for this case. The investigation consulted with an attorney in regards to the force allegations.

Mediation, Civil and Criminal Histories

- This case was not suitable for mediation due to § 87(2)(b)'s arrest.
- As of March 31, 2017, lawsuit has not been filed by § 87(2)(b) or § 87(2)(b) (BR 01).
- § 87(2)(c)

Civilian and Officer CCRB Histories

- This is § 87(2)(b)'s, § 87(2)(b)'s, and § 87(2)(b)'s first CCRB complaint (BR 03).

- § 87(2)(b) has been a member of the NYPD for 26 years and has had 10 prior allegations against him, involving six cases. In case 200204076, an allegation of vehicle stop was substantiated with a CCRB disposition of Charges, and an NYPD disposition and penalty of Command Discipline – A.

Potential Issues

Five witness 911 calls were placed in regards to this incident. Based on the information provided in their calls, four of the five callers were inside a building when observing the incident. One caller was on the street when he observed the situation, an individual named § 87(2)(b). The investigation was unable to contact § 87(2)(b). He would not provide a statement without his attorney, § 87(2)(b), present. § 87(2)(b) was contacted eight times, by both phone and email, to schedule a mutually convenient time to interview § 87(2)(b) however § 87(2)(b) would not provide an available time.

Findings and Recommendations

Explanation of Subject Officer Identification

§ 87(2)(b) stated that when he was handcuffed, the officer that handcuffed him allegedly told him, “Shut the fuck up. You should have just done what the Captain wanted you to do.” § 87(2)(b) could not describe this officer in any way besides being male (BR 04).

§ 87(2)(b) stated that the officer that handcuffed § 87(2)(b) was a white male in his 30s, standing 5’8” to 5’11” tall, with a husky or slightly overweight build, brown hair possibly balding on top, and dressed in uniform. While he was being handcuffed, § 87(2)(b) asked why he was being handcuffed and an officer, § 87(2)(b) could not tell which one, yelled out “Shut the fuck up.” Although § 87(2)(b) could not tell which officer made this statement, it sounded as though it came from either the officer standing behind the desk or standing behind § 87(2)(b) (BR 05).

PO Tortora is a § 87(2)(b) and was dressed in uniform on the day of the incident. PO Tortora stated that he was in the stationhouse, assisting his partners with another arrest, when he observed a male, identified by the investigation as § 87(2)(b) arguing with the Captain in the stationhouse lobby. After some arguing, the Captain pointed at PO Tortora and told him to arrest § 87(2)(b). PO Tortora handcuffed § 87(2)(b). PO Tortora denied ever telling § 87(2)(b) to “shut the fuck up” and did not recall hearing any other officer say this. PO Tortora did not recall if any other officers assisted him with handcuffing § 87(2)(b) (BR 07).

Although PO Tortora denied making the alleged statement, he was the officer responsible for handcuffing § 87(2)(b). Additionally, PO Tortora matches the physical description provided by § 87(2)(b) and stated that he arrested § 87(2)(b) following a command from the Captain. Given that PO Tortora was the officer who handcuffed § 87(2)(b) matches the physical description provided, and his handcuffing of § 87(2)(b) matches the context of the alleged statement, **Allegation H** has been pleaded against him.

Allegations not pleaded

- **Abuse of Authority: Gun drawn:** It is undisputed that Det. Wallace drew his gun. However, given that this action was immediately followed by an alleged gun point, the gun drawn allegation has been subsumed within the more egregious allegation of gun point.
- **Force: Push:** § 87(2)(b) stated that Det. Wallace pushed § 87(2)(b) causing her to fall to the ground. § 87(2)(b) never alleged that Det. Wallace pushed her in any fashion. Thus, no force allegation has been pleaded in regards.
- **Force: Struck with vehicle:** § 87(2)(b) stated that when Det. Wallace pulled away from the scene, he pulled out so fast that he slightly drove over § 87(2)(b)'s left foot. § 87(2)(b) stated he was moving backwards and removed his foot quickly so only the tip was hit. All civilians were consistent that § 87(2)(b) and § 87(2)(b) stood by Det. Wallace's vehicle and blocked him from leaving. Det. Wallace had to maneuver around them to pull out of the spot. By all testimonies, the alleged hitting of § 87(2)(b)'s foot was accidental and was due to him blocking Det. Wallace's vehicle. Thus, no allegation had been pleaded in regards.
- **Discourtesy: Word:** § 87(2)(b) stated that he requested Det. Wallace's name and shield number. Det. Wallace allegedly responded by stating, "I don't have to show you shit." Given that the expletive "shit" was stated in the same context as the refusal name and shield allegation, coupled with the fact that a discourtesy allegation is analyzed under Allegation D, this has been subsumed into the refusal name and shield allegation.

Allegation A –Force: At East 61st Street between 2nd Avenue and 3rd Avenue in Manhattan, Detective Courtney Wallace used physical force against § 87(2)(b)

§ 87(2)(b) stated that he was driving westbound on East 61st Street in the middle lane of the street. As he was driving, a white SUV driving in the right lane cut § 87(2)(b) off. The white SUV then moved into the leftmost lane and appeared to be about to make a left turn onto 2nd Avenue. § 87(2)(b) initially stated that he then cut the driver of the SUV off, but later stated his vehicle remained positioned on the passenger's side of the white SUV for the duration of the incident. § 87(2)(b) and the white SUV both stopped at the intersection of East 61st Street and 2nd Avenue. § 87(2)(b) and driver of the SUV, Det. § 87(2)(b) exchanged a few words. § 87(2)(b) denied ever throwing anything at Det. Wallace's vehicle. § 87(2)(b) continued driving west and Det. Wallace followed him. About halfway down the block, § 87(2)(b) pulled over. Det. Wallace immediately pulled over behind § 87(2)(b) and Det. Wallace exited their vehicles and met between their two vehicles. § 87(2)(b) and § 87(2)(b) initially remained in the vehicle. § 87(2)(b) walked up to Det. Wallace with both his hands at his side, slightly bent at the elbows with his palms open. Immediately upon reaching each other, Det. Wallace reached up with one of his arms and karate-chopped § 87(2)(b) on the throat with his hand (BR 04).

§ 87(2)(b) and § 87(2)(b) were consistent that the white SUV cut off their vehicle while they were driving on East 61st Street and that the SUV followed them on East 61st Street and when they pulled over, the SUV pulled over behind them. § 87(2)(b) stated that § 87(2)(b) had cut off the SUV in retaliation, although § 87(2)(b) made no mention of this. § 87(2)(b) denied that they threw anything at the SUV. They were consistent that Det. Wallace exited his vehicle first and § 87(2)(b) then exited their vehicle. § 87(2)(b) exited the

vehicle about 10-15 seconds after § 87(2)(b). During the time before § 87(2)(b) exited the car, she watched what was going on in the rearview mirror. § 87(2)(b) briefly lost sight of what was going on because she was moving her purse and cell phone around. As she was doing this, she heard § 87(2)(b) scream, "He hit me!" § 87(2)(b) exited the vehicle after this. § 87(2)(b) remained in the back seat because he could not open the door due to the child lock. § 87(2)(b) watched through the back window of the car. § 87(2)(b) made no mention of seeing Det. Wallace strike § 87(2)(b) with his hand or "karate-chop" him (BR 05, 08).

Seven 911 calls were placed in regards to this incident. One of the calls was placed by § 87(2)(b) and the other by Det. Wallace's wife, § 87(2)(b). The five other calls were placed by passerbyers and residents in the vicinity. The 911 calls all describe an altercation as occurring on the street and two of the calls describe the altercation as being related to the civilians' vehicles and road rage. None of these calls provided any information or testimony related to § 87(2)(b) being hit by Det. Wallace. Four of the five callers stated on the 911 call that they were watching the incident from within their home and thus did not have a clear view (BR 14-20).

According to § 87(2)(b) she and Det. Wallace were stopped at the intersection of East 61st Street and 2nd Avenue when she heard a loud noise and something struck their car, near the passenger's side front window. § 87(2)(b) did not see the object that hit the car, she only heard the noise. Det. Wallace did not commit any traffic violations or cut anybody off and did not get cut off by anyone. Det. Wallace crossed 2nd Avenue and pulled over on the right side of 61st Street to check the vehicle. As Det. Wallace was exiting their vehicle, § 87(2)(b) came out his vehicle, which was parked one car length in front of their vehicle. § 87(2)(b) slammed the door of the car and was screaming and cursing. § 87(2)(b) initially described § 87(2)(b) as moving his hands around "like somebody that wants to like fight," but later clarified that he was moving his hands around while talking and then went into a "stance." She could not articulate the positioning of the stance. § 87(2)(b) and Det. Wallace came to be standing between their two vehicles. § 87(2)(b) was screaming and yelling and Det. Wallace was calm. § 87(2)(b) did not think there was any physical contact between the two of them up to this point. § 87(2)(b) did not see Det. Wallace strike § 87(2)(b) in any way (BR 09).

Det. Wallace stated they were driving when an object in a brown paper bag came in contact with his vehicle, hitting the front passenger's side window. There was an SUV directly to the right of Det. Wallace's vehicle, he knew the object came from this vehicle because it was the only one to the right. Prior to the object being thrown, Det. Wallace had not switched lanes at any point, committed any traffic violations or cut anybody off. Det. Wallace decided to stop driving to check the damage to his vehicle. The SUV also stopped and there were a couple of car lengths between the vehicles. § 87(2)(b) got out of the SUV and started coming towards Det. Wallace's vehicle. Det. Wallace stated that § 87(2)(b) walked towards him aggressively, in a fight pose with his hands up. He could not recall how high up § 87(2)(b) was holding his hands or what position his hands were in. § 87(2)(b) never accused Det. Wallace of cutting himself off and never discussed any reason for throwing anything. Det. Wallace denied ever hitting § 87(2)(b) on the neck or head, or making any kind of motion towards his neck with his hand. Prior to drawing his gun, there was no physical contact between Det. Wallace and § 87(2)(b) (BR 06).

right side of the neck and he was handcuffed...Patient states since the incident he has consistent pain in his right neck and shoulder area with numbness and tingling sensation radiating down to his right arm.” § 87(2)(b) was diagnosed with muscle spasm of the right shoulder and prescribed robaxin, a muscle relaxant, and motrin. (BR 12, Privileged Documents)

After § 87(2)(b) exited the vehicle, she saw Det. Wallace strike § 87(2)(b) on the neck. Det. Wallace either punched or struck § 87(2)(b) on the left side of his neck. § 87(2)(b) was not sure if Det. Wallace struck him with his left or right hand, but Det. Wallace was holding his gun in the same hand he used to strike § 87(2)(b). The gun handle or butt appeared to make contact with § 87(2)(b)'s neck. In her CCRB interview, § 87(2)(b) initially stated that § 87(2)(b) and Det. Wallace were engaged in a “scuffle” but later said that she only saw Det. Wallace strike § 87(2)(b) once and never saw them hitting each other and never saw § 87(2)(b) make physical contact with Det. Wallace. After § 87(2)(b) was struck, § 87(2)(b) exited the vehicle and approached § 87(2)(b) began begging Det. Wallace to get back into his vehicle. Det. Wallace kept his gun out during this time and had his arm extended and the gun pointed at § 87(2)(b). The gun was pointed towards his leg or lower body. Det. Wallace never pointed the gun specifically at § 87(2)(b).

§ 87(2)(b) stated that as he was watching through the back window of the car, he saw Det. Wallace pull out a gun. § 87(2)(b) exited the vehicle about 30-40 seconds after § 87(2)(b). As he was exiting the vehicle, he observed Det. Wallace approach § 87(2)(b) and strike him in the right side of his face area with the middle of his firearm, where the handle and barrel of the gun are joined. It looked as though Det. Wallace hit § 87(2)(b) on the face, but later § 87(2)(b) told him he had been hit on the neck. § 87(2)(b) was not acting aggressively or doing anything that would have provoked Det. Wallace to strike him.

§ 87(2)(b) stated that she was very nervous so she stayed towards the back of her car and could only partially see what was going on from this position. She knew that her husband had his firearm out during the incident but was not aware as to which point he took it out or when she became aware of his firearm being out. § 87(2)(b) did not see Det. Wallace ever point his firearm at any of the three individuals. In her CCRB interview, § 87(2)(b) initially stated that she did not know if there was any physical contact between Det. Wallace and any of the civilians. It was noted to her that Det. Wallace's shoulder was injured as a result of this incident. § 87(2)(b) then stated that she guessed there was physical contact during the incident and that § 87(2)(b) “launched” and “came at” Det. Wallace and she guessed this was when his shoulder injury occurred. § 87(2)(b) was unable to articulate in any detail what she meant by “launched” or any details of the way § 87(2)(b) moved his body during this time, besides stating that § 87(2)(b) was in a “stance” with his hands up. Initially, § 87(2)(b) stated that she did not know if § 87(2)(b) ever struck Det. Wallace because she was busy getting the address of their location. When asked for a direct yes or no response, she then responded, “Yes, I saw him.” She did not know which hand § 87(2)(b) used to strike Det. Wallace or where on Det. Wallace's body he hit him. § 87(2)(b) did not see her husband react in any way and did not see him strike § 87(2)(b) in any way. Det. Wallace did not give § 87(2)(b) any details of how his shoulder was injured and did not know what specifically the injury to the shoulder was. She never saw anyone wrestling or fumbling with each other and never heard § 87(2)(b) complaining of being hit or holding his face.

Det. Wallace stated that § 87(2)(b) walked towards him aggressively, in a fight pose with his hands up. He could not recall how high up § 87(2)(b) was holding his hands or what position his hands were in. § 87(2)(b) was standing about two feet away from Det. Wallace. At this time, Det. Wallace observed § 87(2)(b) exit his vehicle, which was about a car length away from Det. Wallace. When § 87(2)(b) exited the vehicle, Det. Wallace saw a bend in § 87(2)(b)'s right arm, leading him to believe § 87(2)(b) was removing something from the right side of his body. Det. Wallace did not see where on his body § 87(2)(b) was reaching, only the bend of the arm. Due to this arm bend, Det. Wallace feared for his life and drew his gun. Det. Wallace was holding the gun in his right hand and pointed his weapon up. Det. Wallace described his gun as being “pointed up, towards the air” and motioned with his hand that his gun was pointed straight forward. Det. Wallace denied that it was ever pointed at either of the males, but confirmed that it was pointed straight forward. Det. Wallace's DEA representative, § 87(2)(b), then interjected that the gun was pointed in an upward direction away from § 87(2)(b). Det. Wallace confirmed that he was holding his weapon upward and was doing this because he feared § 87(2)(b) may have had a weapon. While Det. Wallace was holding his weapon upward, § 87(2)(b) “came up on” on his weapon side. § 87(2)(b) was in a combative stance, his hands were up and he was yelling, he then came up on Det. Wallace's right shoulder. Det. Wallace was unable to articulate what he meant by “came up on.” He then stated that § 87(2)(b) hit his shoulder, but did not know what part of § 87(2)(b)'s body was used to hit his shoulder or how he was hit. Det. Wallace stated that as § 87(2)(b) came into physical contact with his shoulder, he came in close proximity with the gun and the gun went up and may have hit § 87(2)(b) in the face. During this time, Det. Wallace heard something in his shoulder pop. Det. Wallace did not intend to hit § 87(2)(b) with his weapon.

Det. Wallace's shoulder was injured as a result of this incident. About a week after the incident, his shoulder was still bothering him and he sought medical attention. Det. Wallace's rotator cuff was injured; both the muscle and tendon were torn.

Only one of the witnesses saw Det. Wallace with a gun on scene, one of the 911 callers, an individual who identified himself during the 911 call as § 87(2)(b) § 87(2)(b) § 87(2)(b) stated that two males were fighting and one of them then pulled out a gun. He stated that the individual who pulled out the gun was in a white minivan and described the fight between the two males as such: “...one guy punched him and then he pulled out a gun and pointed it at them. Um, he put the gun down and when I left they were still arguing...” (BR 20) § 87(2)(b) a security guard at a nearby building, stated that he came out of the back entrance of his place of work and observed three males and one female in an argument. One of the males, § 87(2)(b) was yelling at another male, Det. § 87(2)(b) that he had tried to hit him with a gun. § 87(2)(b) did not see a gun on scene, but observed § 87(2)(b) holding his neck and stating he had been hit and heard him state to Det. § 87(2)(b) “You tried to gun butt me, but you hit me on the neck.” (BR 21)

In order to justifiably point his gun, an officer must have an articulable belief of serious physical injury. An officer may use force when it is reasonable to ensure the safety of a member of the service or a third person, or otherwise protect life. In all circumstances, any application or use of

Allegation D – Abuse of Authority: At East 61st Street between 2nd Avenue and 3rd Avenue in Manhattan, Detective Courtney Wallace threatened § 87(2)(b) and § 87(2)(b) with the use of force.

Allegation E – Discourtesy: At East 61st Street between 2nd Avenue and 3rd Avenue in Manhattan, Detective Courtney Wallace spoke discourteously to § 87(2)(b)

Allegation G – Discourtesy: At East 61st Street between 2nd Avenue and 3rd Avenue in Manhattan, Detective Courtney Wallace spoke discourteously to § 87(2)(b)

§ 87(2)(b) stated that Det. Wallace told him and § 87(2)(b) “I’m law enforcement. I’ll shoot you.” § 87(2)(b) stated that while he was still in the backseat of his vehicle, he allegedly heard Det. Wallace tell § 87(2)(b) “I should shoot your bitch ass.” § 87(2)(b) responded to Det. Wallace’s threat by saying, “so shoot me then” multiple times. § 87(2)(b) did not hear Det. Wallace make any other threats during the incident. § 87(2)(b) stated that after she exited the vehicle, she heard Det. Wallace telling § 87(2)(b) “I’m going to shoot you. I’m going to shoot you.” Det. Wallace made this comment while he had his gun pointed at § 87(2)(b). Det. Wallace did not specify the intended target of his threat, but § 87(2)(b) believed the comment was directed at § 87(2)(b). § 87(2)(b) never heard Det. Wallace threaten to shoot § 87(2)(b).

As noted above, § 87(2)(b) did not see on gun on scene at any point and made no mention of hearing Det. Wallace threaten to shoot anyone or use any discourteous language. Additionally, § 87(2)(b) made no mention of anyone requesting identification or credentials from Det. Wallace. § 87(2)(b) and § 87(2)(b) were two of the 911 callers and live at § 87(2)(b). § 87(2)(b) was on the first floor of their home and § 87(2)(b) was on the second floor at the time of the incident. § 87(2)(b) stated that he heard an argument and then heard a loud voice say, “Take a shot...” § 87(2)(b) stated that she heard a male voice state, “What, you want to take a shot at me?” None of the other witness 911 callers provided any testimony related to these allegations (BR 22-23).

§ 87(2)(b) denied ever hearing Det. Wallace telling anyone that he was going to shoot them. She stated that there was a lot of screaming between everyone and she was unable to recall the specifics of what was being said besides a lot of cursing, but stated that she did not recall Det. Wallace using any profanity during the incident. When § 87(2)(b) initially emerged from his vehicle, Det. Wallace identified himself as an officer to him. § 87(2)(b) responded to him with, “Fuck the police.”

Det. Wallace stated that from the moment that § 87(2)(b) exited his vehicle, he began identifying himself as police and identified himself as a police over seven times throughout the incident. He stated that § 87(2)(b) kept saying “Fuck the police, fuck the police” in response to this throughout the incident. He denied ever telling any of the civilians, “I’m going to shoot you” and denied ever saying, “I should shoot your bitch ass.”

Det. Wallace denied threatening to shoot any of the civilians and denied both of the alleged discourteous statements. He stated that none of the civilians ever asked him for identification during the incident. § 87(2)(b) and § 87(2)(b) all stated that Det. Wallace made a threat to shoot during the incident. However, their statements varied widely in regards to

the wording of Det. Wallace's statement, the time at which he made the alleged statement, and to whom Det. Wallace spoke. Additionally, § 87(2)(b) solely described Det. Wallace as speaking discourteously during the incident. Neither § 87(2)(b) nor § 87(2)(b) who one of the alleged statements was directed at, described Det. Wallace as speaking this way.

§ 87(2)(g)
§ 87(2)(b) § 87(2)(b) § 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)

Allegation F – Abuse of Authority: At East 61st Street between 2nd Avenue and 3rd Avenue in Manhattan, Detective Courtney Wallace refused to provide his shield number to

§ 87(2)(b) and § 87(2)(b)

§ 87(2)(b) provided three statements to the CCRB documenting his interaction with Det. Wallace. On September 12, 2016, five days after the incident, § 87(2)(b) called the CCRB and reported that Det. Wallace never said whether or not he was a police officer. § 87(2)(b) later said that the individual informed them that he was "law enforcement," not specifically NYPD, and did not show a badge or any credentials (BR 13). He was subsequently called on September 13, 2016, during which time he provided a telephone statement. § 87(2)(b) stated that § 87(2)(b)'s friend, § 87(2)(b) called 911 and it was not until § 87(2)(b) made this phone call that Det. Wallace said he was "law enforcement." However, § 87(2)(b) made no mention that he requested Det. Wallace's identification (BR 14). Finally, during his in-person statement on September 23, 2016, § 87(2)(b) stated that Det. Wallace did not identify himself as a police officer or display any kind of law enforcement identification. § 87(2)(b) added that he asked § 87(2)(b) "Where's your badge if your law enforcement?" however, Det. Wallace never showed his badge to § 87(2)(b).

As per § 87(2)(b) after he § 87(2)(b) got out of the vehicle, he asked Det. Wallace to show his credentials. Det. Wallace allegedly responded, "I don't have to show you shit." § 87(2)(b) then called 911 during which time he told the 911 operator numerous times that Det. Wallace did not want to tell him his information and that Det. Wallace would not show him his badge.

§ 87(2)(b) made no mention of hearing anyone request Det. Wallace's identification or credentials during the incident.

The 911 audio of the incident confirms that § 87(2)(b) called 911 while the incident occurred and requested Det. Wallace's name by stating, "What's your, what's your name?" § 87(2)(b) informed the 911 operator that Det. Wallace responded by walking away. When the 911 operator asked § 87(2)(b) if he was able to obtain a badge number, § 87(2)(b) responded that Det. Wallace did not want to "give up his information." § 87(2)(b) provided a physical description of Det. Wallace along with Det. Wallace's license plate number which is how the IAB Command Center identified Det. Wallace (BR 14).

Det. Wallace stated that as soon as he and § 87(2)(b) stopped their vehicles, § 87(2)(b) slammed his car door and walked aggressively towards Det. Wallace's vehicle. Det. Wallace

